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Attorney for Defendant
DANIEL NATHAN

FILED	RECEIVED
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COUNSEL/PARTIES OF RECORD	
FEB 10 2020	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
* * *

UNITED STATES OF AMERICA,

2:19-mj-00368- VCF

Plaintiff,

ORDER

v.

**STIPULATION AND ORDER TO
CONTINUE PRELIMINARY
EXAMINATION**

DANIEL NATHAN,

(FIFTH REQUEST)

Defendant.

IT IS HEREBY STIPULATED by and between DANIEL NATHAN, Defendant, by and through his counsel MICHAEL J MICELI, ESQ, and the United States of America, ROBERT KNIEF, Assistant United States Attorney, that the preliminary examination hearing currently scheduled for February 10, 2020 at 4:00 p.m., be vacated and reset to a date and time convenient to the Court but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not currently incarcerated and on Pretrial Release.
3. Defendant has signed a Plea Agreement.
4. The parties need a continuance to get all documents to the Court to set a change of plea hearing.

1 5. Additionally, denial of this request for continuance would result in a miscarriage of
2 justice.

3 6. This is the fifth request for a continuance of the preliminary.
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5 DATED this 10th day of February 2020.
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7 PITARO & FUMO, CHTD.
8

NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

9
10 /s/
11 MICHAEL J. MICELI, ESQ.
12 601 LAS VEGAS BOULEVARD, SOUTH
13 LAS VEGAS, NEVADA 89101
14 ATTORNEY FOR DEFENDANT
15 DANIEL NATHAN
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/s/
ROBERT KNIEF, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
501 LAS VEGAS BOULEVARD SOUTH. #1100
LAS VEGAS, NEVADA 89101

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

2:19-mj-00368- VCF

Plaintiff,

v.

DANIEL NATHAN,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not currently incarcerated and on Pretrial Release.
3. Defendant has signed a Plea Agreement.
4. The parties need a continuance to get all documents to the Court to set a change of plea hearing.
5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
6. This is the fifth request for a continuance of the preliminary.

ORDER

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy preliminary hearing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for a preliminary hearing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the preliminary examination in the above captioned matter currently scheduled for February 10, 2020 at 4:00 p.m., be vacated and continued to March 10, 2020, at 4:00 p.m. Courtroom 3D.

DATED this 10th of February, 2020.



~~U.S. DISTRICT JUDGE~~

CAM FERENBACH
U.S. MAGISTRATE JUDGE